



To the Honorable Council  
City of Norfolk, Virginia

August 25, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Change of zoning from R-6 (Single-Family) to conditional R-8 (Single-Family) at 436-442 Glenrock Road – L.S. Birsch Construction Co., Inc.**

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved:

Marcus D. Jones, City Manager

Item Number:

**PH-2**

- I. **Staff Recommendation: Denial.**
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request: Change of zoning from R-6 to conditional R-8**
- IV. **Applicant: Landon Birsch**
- V. **Description:**
  - This application is a request to rezone the properties in order to resubdivide the parcels to create buildable lots, allowing for the construction of two new single-family homes to be developed.
  - The site is within the Glenrock neighborhood, a suburban residential area developed primarily with a mix of single-family, multi-family, institutional, and some commercial uses along the commercial corridors.
  - The applicant has agreed to the following proffered conditions:
    - The site shall be developed in accordance with the conceptual site plan submitted.
    - The new homes will be required to obtain a zoning certificate which will ensure that the proposed homes are compatible with the surrounding character of the neighborhood.
    - To offset stormwater impacts of the development, the following landscaping shall be installed prior to the issuance of a Certificate of Occupancy:
      - Foundation plantings a minimum of three feet in depth shall be provided and maintained for foundations facing the public right of way.
      - Two trees shall be preserved or planted and maintained for each new zoning lot created.

- Staff recommends that the rezoning request be denied because of the lack of commitment from the developer to install sidewalks along the frontages of each lot.

Staff point of contact: Chris Whitney at 823-1253, [chris.whitney@norfolk.gov](mailto:chris.whitney@norfolk.gov)

Attachments:

- Staff Report to CPC dated July 23, 2015 with attachments
- Proponents and Opponents
- Ordinance





# City of NORFOLK

## Planning Commission Public Hearing: July 23, 2015

Executive Secretary: George M. Homewood, AICP, CFM

Staff Planner: Chris Whitney, CFM

JS

CW

Staff Report	Item No. 2		
Address	436-442 Glenrock Road		
Applicant	L.S. Birsch Construction Co., Inc.		
Request	Conditional Change of Zoning		
Property Owner	Susanne P. Kotonias		
Site Characteristics	Site Area	10,000 square feet	
	Zoning	From: R-6 (Single-Family)	To: R-8 (Single-Family)
	Neighborhood	Glenrock	
	Character District	Suburban	
Surrounding Area	North	R-6: vacant land, Liberty Temple Church	
	East	R-6: vacant land	
	South	R-6: single-family home	
	West	R-6: single-family home	





### A. Summary of Request

This application is a request to rezone the properties in order to resubdivide the parcels to create buildable lots, allowing for the construction of two new single-family homes to be developed.

### B. Plan Consistency

- *plaNorfolk2030* identifies this site as single family traditional.
  - The identifying land use strategies chapter of *plaNorfolk2030* identifies the single family traditional land use category as a location for single family detached development characterized by houses set back a moderate distance from the street with driveways leading to rear garages on lots of 50 to 70 feet wide and approximately 4,000 to 7,500 square feet.
- Given that it would permit the construction of a single family home with a garage set back from the front of the house on a lot of 50 feet in width and 5,000 square feet in area, the proposed rezoning is consistent with *plaNorfolk2030*.

### C. Zoning Analysis

#### i. General

- The site is within the Glenrock neighborhood, a suburban residential area developed primarily with a mix of single-family, multi-family, institutional, and some commercial uses along the commercial corridors.
- This site is currently zoned R-6 which requires a minimum lot width of 75 feet and a minimum lot size of 7,500 square feet.
- The proposed R-8 zoning requires a minimum lot width of 50 feet and a minimum lot size of 5,000 square feet.
- The site currently consists of four vacant parcels with one small accessory structure.
- The applicant is proposing to merge and resubdivide four 25-foot-wide parcels, creating two 50-foot-wide lots.
- The surrounding neighborhood is primarily zoned R-6, however 50-foot-wide lots are present throughout the area, including directly across the site at the corner of Glenrock Road and Finney Street.
- The proposed rezoning and resubdivision would create lots that are in conformance with the single family traditional land use category in *plaNorfolk 2030*.

#### ii. Parking

- The site is located in the Suburban Character district, which requires two parking spaces per dwelling unit.
- Both lots will have to provide two off-street parking spaces.

#### iii. Flood Zone

The property is in the X Flood Zone, which is a low risk flood zone.

**D. Transportation Impacts**

Institute of Transportation Engineers (ITE) figures estimate that the addition of two single-family homes will generate 19 additional vehicle trips per day.

**E. Impact on the Environment**

- The new houses will comply with all standards set forth in the *Zoning Ordinance* including stormwater impacts.
- The proffered conditions include requirements to install foundation plantings and the preservation or installation of at least two trees.

**F. Impact on Surrounding Area/Site**

- The development of two new single-family homes should not have an adverse impact on the surrounding neighborhood, which consists primarily of single-family uses.
- The new homes will be required to obtain a zoning certificate which will ensure that the proposed homes are compatible with the surrounding character of the neighborhood.
- Recent rezoning applications have been conditioned on the installation of sidewalks along the frontages of each lot. However, the applicant has not agreed to this condition.

**G. Payment of Taxes**

The owner of the property is current on all real estate taxes.

**H. Civic League**

Notice was sent to the Glenrock Neighborhood Association on June 10.

**I. Communication Outreach/Notification**

- Legal notice was posted on the property on June 16.
- The applicant emailed the Glenrock Neighborhood Association on May 12.
- Letters were mailed to all property owners within 300 feet of the property on July 10.
- Legal notification was placed in *The Virginian-Pilot* on July 9 and July 16

**J. Conditions Proffered by the Applicant**

1. The site shall be developed in accordance with the conceptual site plan entitled "Physical Survey of 440 Glenrock Road, Norfolk, VA Lots 3 and 4, Block 29, Glenrock," and "Physical Survey of 436 Glenrock Road, Norfolk, VA Lots 1 and 2, Block 29, Glenrock," as prepared by *Stephen I. Boone and Associates, P.C.*, dated June 5, 2015, attached hereto and marked as "Exhibit A."
2. No building permit shall be issued until a zoning certificate has been granted by the Department of City Planning, which verifies that the proposed single-family dwellings to be built on the parcels are consistent with the prevailing pattern in the neighborhood with respect to the footing, massing, scale, appearance, fenestration,



roof lines and other exterior elements.

3. To offset stormwater impacts of the development, the following landscaping shall be installed prior to the issuance of a Certificate of Occupancy:
  - i. Foundation plantings a minimum of three feet in depth shall be provided and maintained for foundations facing the public right of way.
  - ii. Two trees shall be preserved or planted and maintained for each new zoning lot created.

**K. Recommendation**

Staff recommends that the rezoning request be **denied** because of the lack of commitment from the developer to install sidewalks.

**Attachments**

Location map

Zoning map

Application

Survey/site plan

Notice to the Glenrock Neighborhood Association

Letter of Opposition from the Glenrock Neighborhood Association

## **Proponents and Opponents**

### **Proponents**

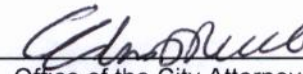
Lanny Birsch – Applicant  
3815 Bay Oaks Place  
Norfolk, VA 23518

### **Opponents**

None

07/20/2015

Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved: CW

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTIES LOCATED AT 436 TO 442 GLENROCK ROAD FROM R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO CONDITIONAL R-8 (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the properties located at 436 to 442 Glenrock Road are hereby rezoned from R-6 (Single-Family Residential) District to Conditional R-8 (Single-Family Residential) District. The properties are more fully described as follows:

Properties fronting 100 feet, more or less, along the eastern line of Glenrock Road and 100 feet, more or less, along the northern line of Finney Street; premises numbered 436 to 442 Glenrock Road.

Section 2:- That the property rezoned by this ordinance shall be subject to the following conditions:

- (a) The site shall be subdivided in accordance with the conceptual site plan entitled "Physical Survey of 436 Glenrock Road, Norfolk, Virginia; Lots 1 & 2, Block 29, Glenrock," and "Physical Survey of 440 Glenrock Road, Norfolk, Virginia; Lots 3 & 4, Block 29, Glenrock," prepared by Stephen I. Boone and Associates, P.C., dated June 5, 2015, attached hereto and marked as "Exhibit A."
- (b) No building permit shall be issued for any improvements on the property until a zoning certificate has been granted by the Department of City Planning, verifying that the proposed single-family dwellings to be constructed are consistent with the prevailing pattern in the neighborhood with respect to the footing, massing, scale, appearance, fenestration, roof lines and other



exterior elements.

Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

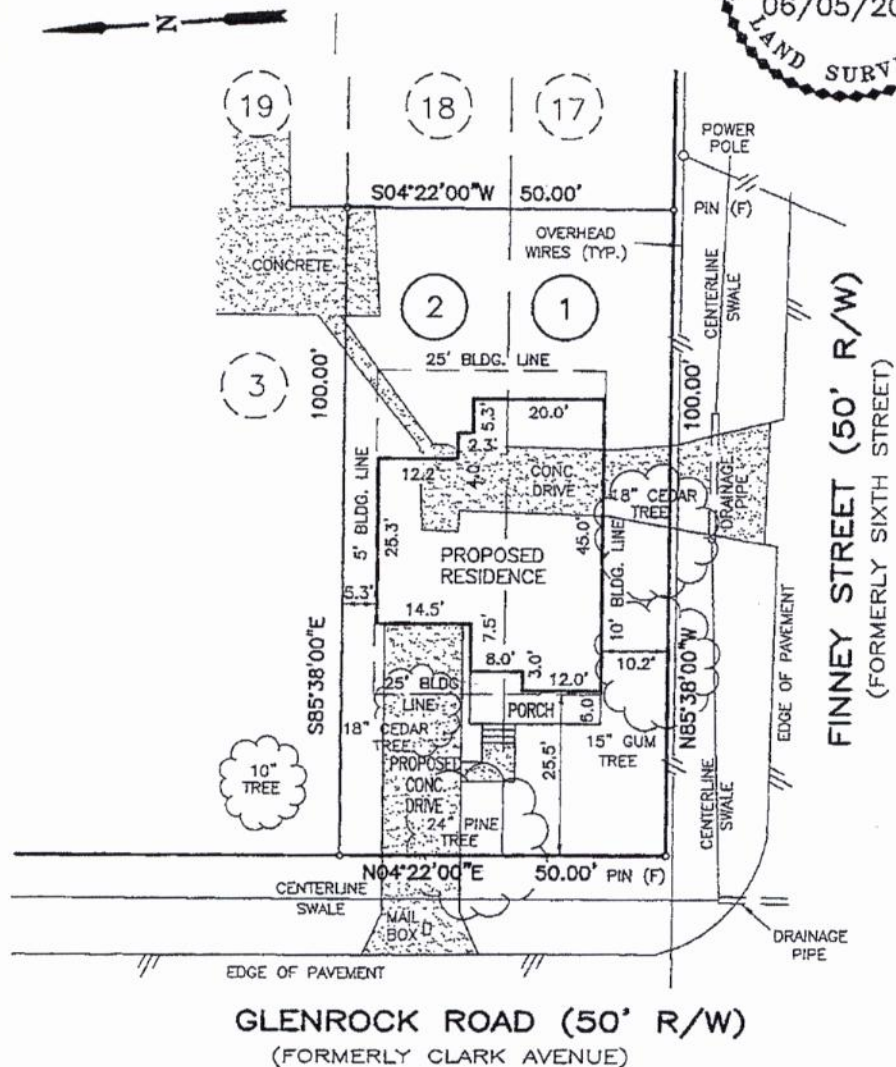
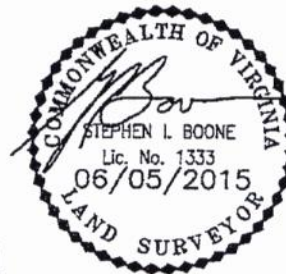
Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:  
Exhibit A (2 pages)

THIS IS TO CERTIFY THAT ON JUNE 04, 2015, I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND PHYSICAL IMPROVEMENTS ARE SHOWN ON THIS PLAT. THE IMPROVEMENTS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN.

THE RESIDENCE SHOWN HEREON APPEARS TO BE IN FLOOD ZONE "X"  
FIRM MAP CITY OF NORFOLK COMMUNITY NO. 510104  
MAP REVISION: SEPTEMBER 2, 2009 PANEL NO. 0145 F

THIS SURVEY PERFORMED WITHOUT  
THE BENEFIT OF A TITLE REPORT.



## PHYSICAL SURVEY

OF  
436 GLENROCK ROAD, NORFOLK, VIRGINIA  
LOTS 1 & 2, BLOCK 29

**GLENROCK**

M.B. 3, P. 135 (VIRGINIA BEACH)

FOR: L. S. BIRSCH CONSTRUCTION

STEPHEN I. BOONE & ASSOCIATES, P.C.  
LAND SURVEYORS  
PORTSMOUTH, VIRGINIA

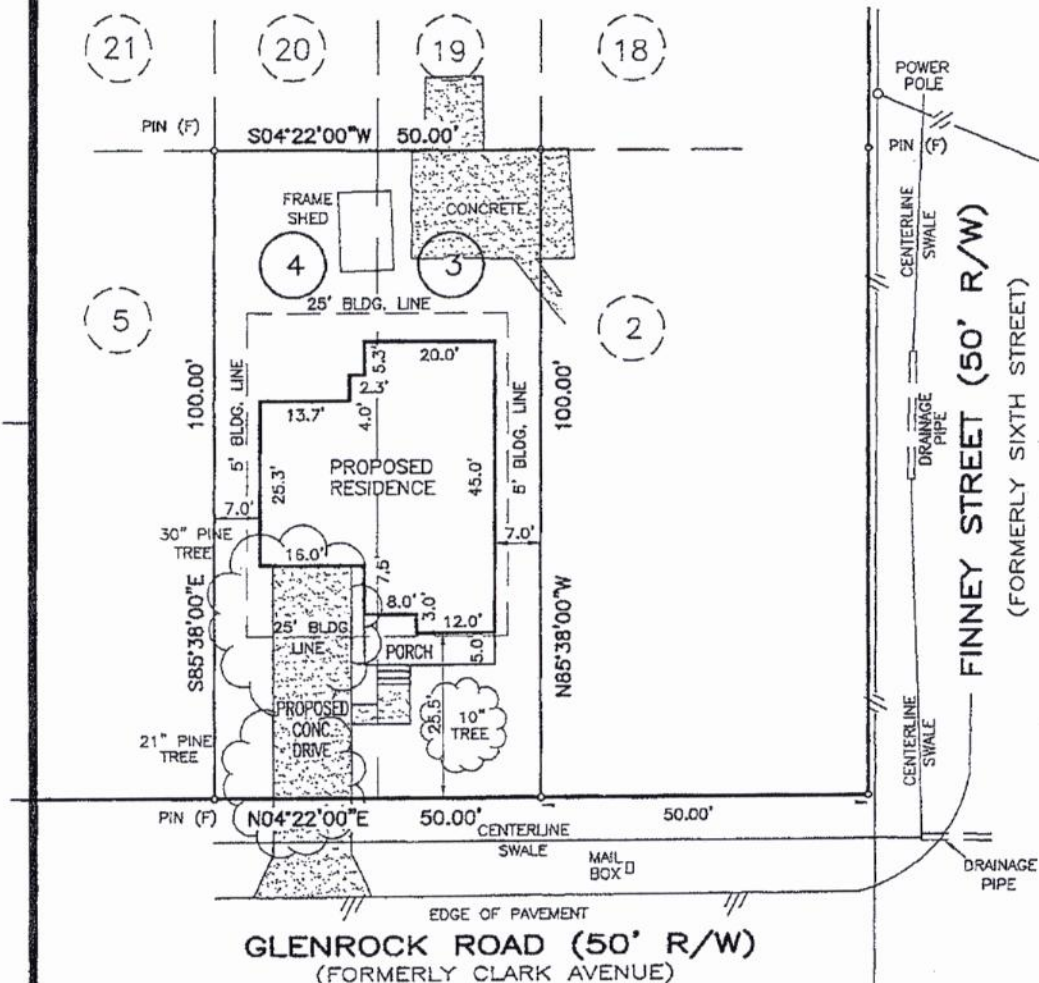
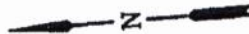
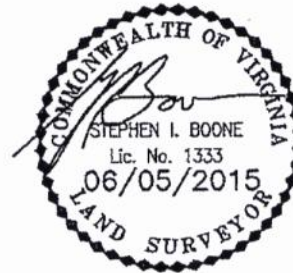
SCALE: 1" = 20'

DATE: JUNE 05, 2015

THIS IS TO CERTIFY THAT ON JUNE 04, 2015, I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND PHYSICAL IMPROVEMENTS ARE SHOWN ON THIS PLAT. THE IMPROVEMENTS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN.

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MAP REVISION: SEPTEMBER 2, 2009 PANEL NO. 0145 F

THIS SURVEY PERFORMED WITHOUT  
THE BENEFIT OF A TITLE REPORT.



## PHYSICAL SURVEY

OF  
440 GLENROCK ROAD, NORFOLK, VIRGINIA  
LOTS 3 & 4, BLOCK 29

**GLENROCK**

M.B. 3, P. 135 (VIRGINIA BEACH)

FOR: L. S. BIRSCH CONSTRUCTION

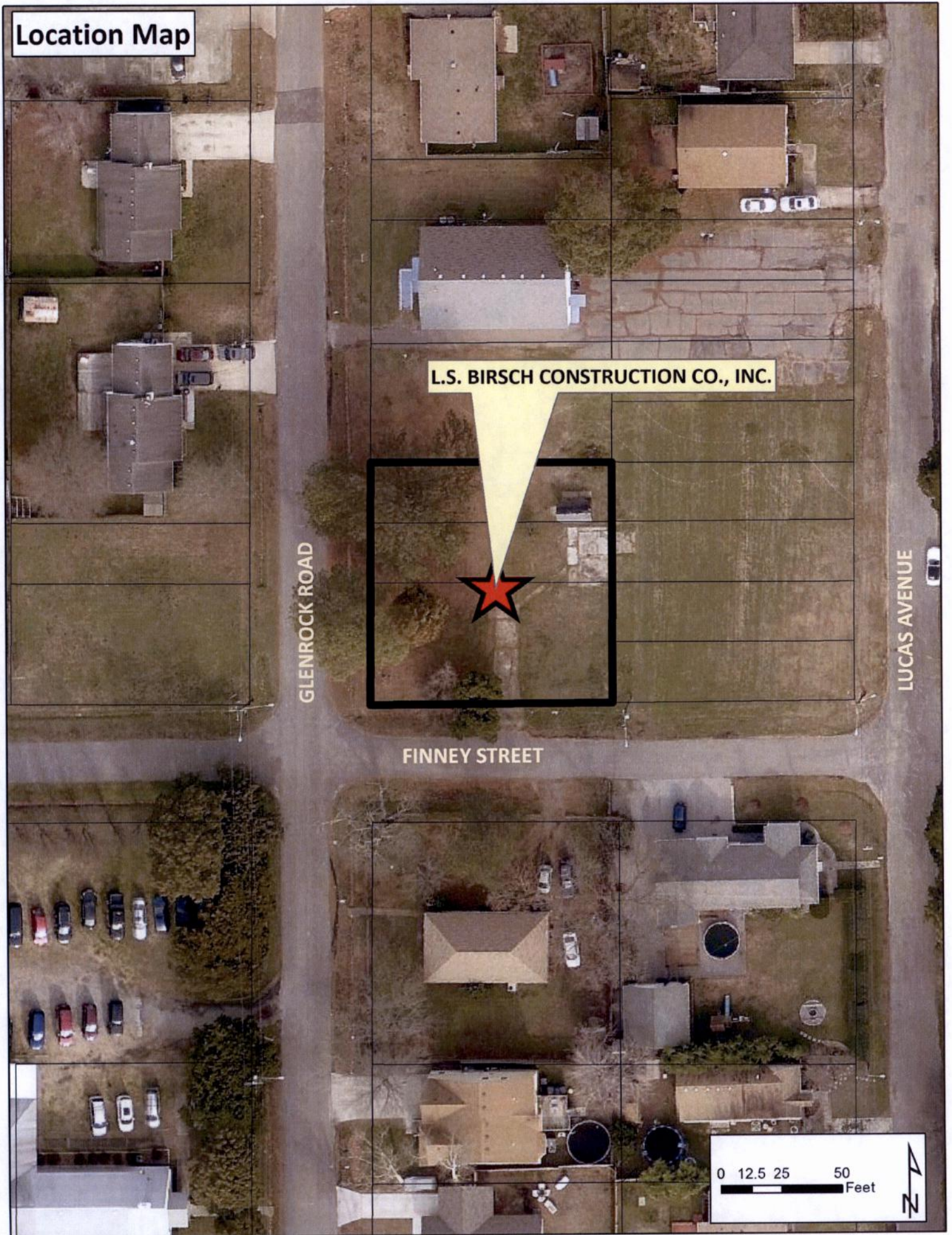
STEPHEN I. BOONE & ASSOCIATES, P.C.  
LAND SURVEYORS  
PORTSMOUTH, VIRGINIA

SCALE: 1" = 20'

DATE: JUNE 05, 2015



Location Map



L.S. BIRSCH CONSTRUCTION CO., INC.

GLENROCK ROAD

LUCAS AVENUE

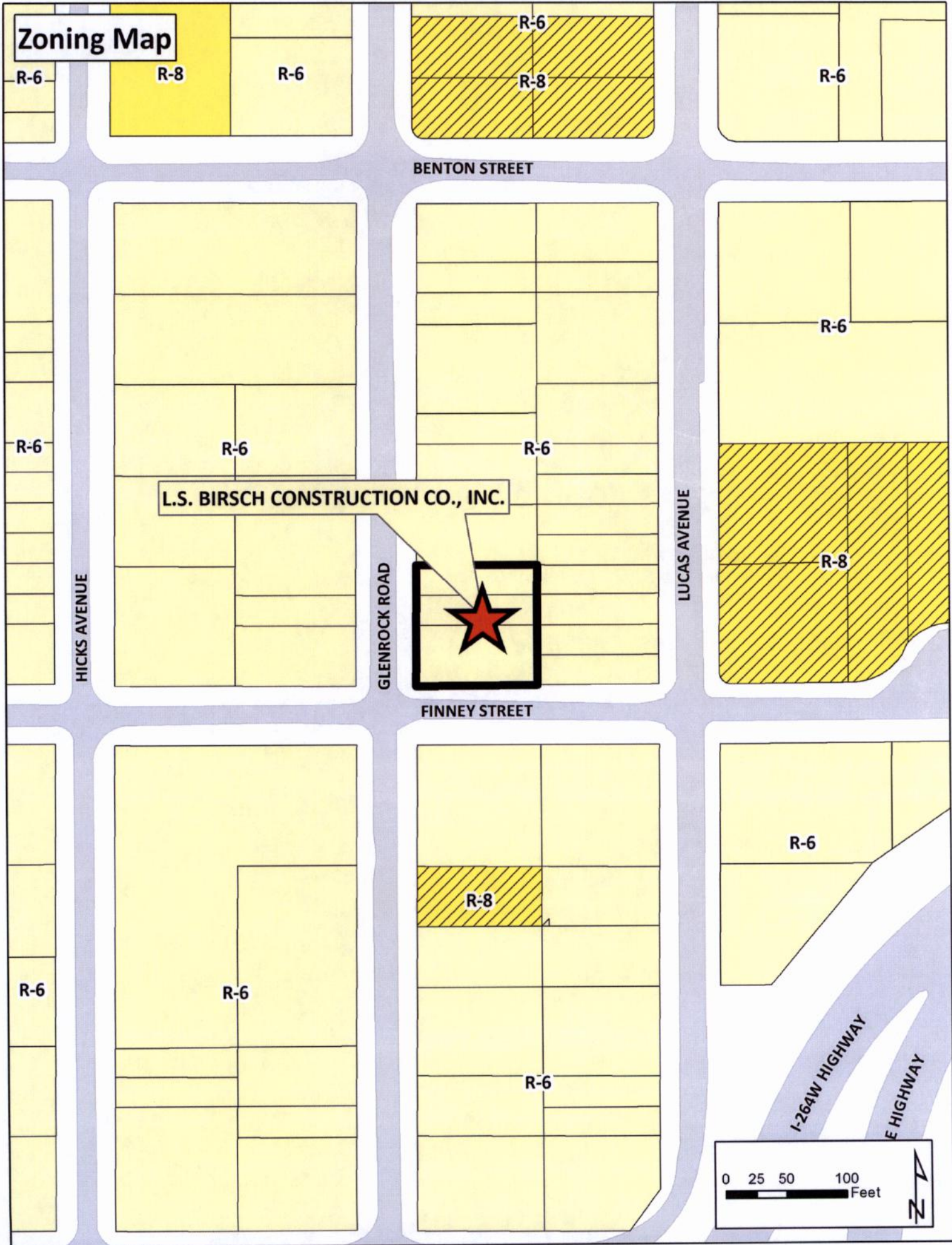
FINNEY STREET

0 12.5 25 50 Feet

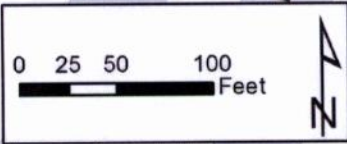




# Zoning Map



L.S. BIRSCH CONSTRUCTION CO., INC.





**APPLICATION  
CONDITIONAL CHANGE OF ZONING**

Date of application: 5-19-15

**Conditional Change of Zoning**

From: R-6 Zoning To: Conditional R-8 Zoning

**DESCRIPTION OF PROPERTY**

Property location: (Street Number) 436-442 (Street Name) GLENROCK RD.  
LOT 1, 2, 3, & 4 NORFOLK VA. 23502

Existing Use of Property: RESIDENTIAL - SINGLE FAMILY

Current Building Square Footage N/A

Proposed Use SINGLE FAMILY RESIDENTS

Proposed Building Square Footage 2,000 sq ft

Trade Name of Business (If applicable) L.S. BIRSCH CONST. CO. INC.

**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) BIRSCH (First) LANDEN (MI) S.

Mailing address of applicant (Street/P.O. Box): 3815 BAY OAKS PL.

(City) NORFOLK (State) VA. (Zip Code) 23518

Daytime telephone number of applicant (757) 724-0701 Fax ( ) 362-9553

E-mail address of applicant: birschconst.co@aol.com

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)



Application  
Conditional Rezoning  
Page 2

**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) BIRSCH (First) LONDON (MI) S.

Mailing address of applicant (Street/P.O. Box): 3815 BAY OAKS PL.

(City) NORFOLK (State) VA. (Zip Code) 23518

Daytime telephone number of applicant (757) 724-0701 Fax ( )

E-mail address of applicant: birschconst.co@aol.com

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) KOTONIAS (First) SUSANNE (MI) PRICE

Mailing address of property owner (Street/P.O. box): 102 MALLARD CREEK DR.

(City) GRAHAM (State) NC (Zip Code) 27253

Daytime telephone number of owner (336) 221-1496 email: \_\_\_\_\_

**CIVIC LEAGUE INFORMATION**

Civic League contact: DAVID HICKS

Date(s) contacted: 5-12-15 (E-MAILED)

Ward/Super Ward information: \_\_\_\_\_

**REQUIRED ATTACHMENTS**

- ✓ Required application fee, **\$705.00** (if check, make payable to the City of Norfolk).
  - Application fee includes a non-refundable \$5 technology surcharge.
  - If accompanied with a necessary map amendment to the City's adopted general plan, *plaNorfolk2030*, an additional technology surcharge of **\$5** will be required.
- ✓ One 8 1/2 x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
  - Existing and proposed building structures
  - Driveways
  - Parking
  - Landscaping
  - Property lines (see attached example)
- ✓ One 8 1/2 x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.
- ✓ Proffered conditions.
- ✓ Written description and details of the operation of the business (i.e., # of employees, # of bays, reason for rezoning, etc...)

**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: SUSANNE P. KOTONIAS Sign: Susanne P. Kotonias 15-25-2015  
(Property Owner or Authorized Agent of Signature) (Date)

Print name: LONDON S. BIRSEH Sign: Landon S. Birseh 5-19-15  
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: LONDON S. BIRSEH Sign: Landon S. Birseh 15-19-15  
(Authorized Agent Signature) (Date)

**L.S. Birsch Construction – 436-442 Glenrock Road**  
**Proffered Conditions**

1. The site shall be developed in accordance with the conceptual site plan entitled "Physical Survey of 440 Glenrock Road, Norfolk, VA Lots 3 and 4, Block 29, Glenrock," and "Physical Survey of 436 Glenrock Road, Norfolk, VA Lots 1 and 2, Block 29, Glenrock," as prepared by *Stephen I. Boone and Associates, P.C.*, dated June 5, 2015, attached hereto and marked as "Exhibit A."
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  - ii. Two trees shall be preserved or planted and maintained for each new zoning lot created.

**Current Property Owner**

Print Name: \_\_\_\_\_

Sign: \_\_\_\_\_ Date: \_\_\_\_\_

**Applicant/Authorized Agent**

Print Name: \_\_\_\_\_

Sign: \_\_\_\_\_ Date: \_\_\_\_\_



Glenrock Neighborhood Association  
P.O Box 12713  
Norfolk, Virginia 23502  
Wewatchglenrock@live.com  
July 19, 2015

City of Norfolk Planning Commission  
City Hall Building  
810 Union Street, Suite 508  
Norfolk, VA 23510

**RE:** Glenrock Rezoning - LS Birsch

Planning Commission Board Members:

The residents of Glenrock have taken into consideration the application for rezoning, as proposed by LS Birsch, parcels listed as 436-442 Glenrock Road: Lots 1, 2, 3, & 4.

It is in the best interest of the Glenrock community to formally request denial of this application for rezoning. The developer is not willing to proffer backfilling of ditches, gutters, and curbs which we firmly believe are imperative. It not only lessens the burden on city funding in the future, but it also helps set a standard for development within our community.

Developers who wish to rezone parcels in our community are strongly encouraged to follow the leading developers' example (DSF).

Please allow this letter to serve as our official position in this matter.

Very Respectfully,

Mr. David Hicks  
President  
Glenrock Neighborhood Association  
[Wewatchglenrock@live.com](mailto:Wewatchglenrock@live.com)

Cc. GNA Secretary Treasurer,